

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

UNITED STATES OF AMERICA,

CR-19-01-H-CCL

Plaintiff,

vs.

Order

HUGO YANEZ, BREANNE MARIE
BAME, TAVIA DION BLUME, and
KYLE DOUGLAS ALVERSON,

Defendants.

Defendant Hugo Yanez and his appointed counsel, Nick Brooke, appeared today for a hearing on Mr. Brooke's *ex parte* "Motion to Withdraw Representation" (Doc. 120). Michael Kakuk of the United States Attorney's Office also appeared, but was excused so that the Court could discuss the issues raised by the motion with Mr. Brooke and Mr. Yanez.

After questioning both Mr. Brooke and Mr. Yanez, the Court determined that there is a potential conflict of interest sufficient to warrant substitution of counsel. Accordingly,

IT IS HEREBY ORDERED that Mr. Brooke's motion to withdraw (Doc. 120) is GRANTED and Mr. Brooke is removed as counsel of record.

Mr. Brooke is a member of the Great Falls and Missoula CJA panels and was apparently appointed in this case because the Federal Defenders and other available members of the Helena CJA panel were representing Mr. Yanez's co-defendants. Accordingly,

IT IS FURTHER ORDERED that this case is referred to the Federal Defenders of Montana to find appropriate counsel and move for appointment of such to represent Mr. Yanez at every remaining stage of the proceedings through disposition, including ancillary matters appropriate to the proceedings.

To allow newly appointed counsel time to prepare for the sentencing currently set for May 19, 2020,

IT IS FURTHER ORDERED that Mr. Yanez's sentencing is RESET for Tuesday, June 2, 2020, at 10:00 a.m. Counsel and Mr. Yanez shall appear in person in Courtroom II, 901 Front Street, United States Courthouse, Helena, Montana for Mr. Yanez's sentencing.

Newly appointed counsel shall submit any objections to the pre-sentence report to the United States Probation Office on or before May 19, 2020. Mr.

Yanez's deadline for filing sentencing memorandum or recommendation letters or any other motion is extended until May 26, 2020.

The May 19, 2020, sentencing hearing for Defendant Breanne Marie Bame, will take place as scheduled on May 19, 2020. Counsel and Ms. Bame shall appear in person in Courtroom II, 901 Front Street, United States Courthouse, Helena, Montana for Ms. Bame's sentencing.

The Clerk of Court is directed to notify the Federal Defender's Office, Mr. Yanez, counsel, the United States Marshals Service and the United States Probation Office of entry of this order.

Dated this 6th day of May, 2020.


CHARLES C. LOVELL
SENIOR UNITED STATES DISTRICT JUDGE